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May 18, 2011
Michigan Supreme Court
925 West Ottawa
Street P.O. Box 30052
Lansing, Michigan 48909

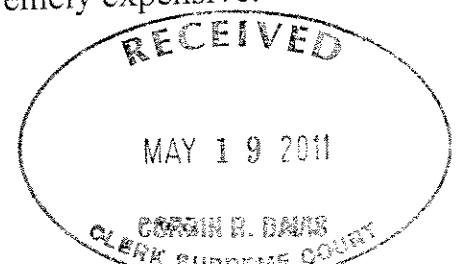
Re; Proposed changes to MCR 3.911

Hon. Justices of the Court,

We are primarily a litigation office. We get retained in cases which must be prepared for trial. Often we do not demand jury trials due to the delay in going to trial occasioned by the jury trial backlog.

To change the rules and allow a litigant to demand a jury trial only 21 days before trial is one huge mistake. You are inviting gamesmanship no end and you are inviting delays in trial like you have never seen before, for example:

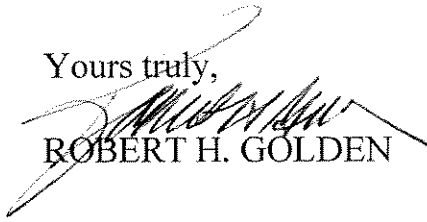
1. Counsel moves for an adjournment of trial which is denied by the judge. He then waits until a few weeks before trial and demands a jury. Now he is adjourned because his case was not scheduled for a jury trial and he cannot get on this term- result - he has his adjournment.
2. Depositions by video tape are not usually taken for a bench trial. All of a sudden what was a bench trial is now a jury trial and there is no way you can schedule all of your medical and other experts for a video deposition in 21 days. Expense you have not counseled your client about now is a very real problem. Video depositions are a virtual necessity for a jury trial and they are extremely expensive.



Both the attorney and the client may not be able to afford these depositions which will have a serious affect on the juries perception of his case. Just another example of what is not fair in the law today and you want to make it worse.

You are changing the practice of law and not at all for the better. If a jury trial is desired and you want to give a party more than the current 15 days to make a demand, give a party 30, or 45 days from the filing of his first pleading, but don't give him until 21 days before trial

Yours truly,



ROBERT H. GOLDEN